



The Municipal Corporation of the Town of Fort Erie

By-law No. 27-2018

Being a By-law to Authorize the Entry into an Amendment and Extension Agreement with Rogers Communications Inc. (Telecommunications Tower at Crystal Ridge Community Centre)

Whereas By-law No. 5-08 was passed by the Municipal Council of the Town of Fort Erie on January 21, 2008 to authorize the entry into an Agreement with Rogers Communications Inc. to construct, install, operate, maintain and repair a cell phone tower at Crystal Ridge Community Centre, for an initial term of five (5) years with three (3) additional five (5) year extension periods, with the fee for each extension period being set at market rate, and

Whereas By-law No. 6-13 was passed by the Municipal Council of the Town of Fort Erie on January 21, 2013 to authorize the entry into an Amendment and Extension Agreement with Rogers Communications to extend the Agreement for a further five (5) years, and provide for a further extension period to 2033 with all fees for the extension periods being set at fifteen per cent (15%) over the preceding extension periods, and

Whereas at the Council-in-Committee meeting held on February 12, 2018, the Municipal Council of the Town of Fort Erie approved the recommendation contained in Report No. CAO-05/LC-01-2018 authorizing the entry into a further Amendment and Extension Agreement to extend the Agreement for a further five (5) years, and to provide for a further extension period to 2038 with the fees for the additional extension period being set at fifteen per cent (15%) over the preceding extension period, and

Whereas it is deemed desirable to enter into an Amendment and Extension Agreement with Rogers Communications Inc.;

Now therefore the Municipal Council of The Corporation of theTown of Fort Erie enacts as follows:

1. **That** the entry into an Amendment and Extension Agreement with Rogers Communications Inc. to extend the Agreement for a further five (5) years, and provide for a further extension period to 2038 with the fee for the additional extension period being set at an increase of fifteen per cent (15%) over the preceding extension period, is authorized and approved.
2. **That** the Mayor and Clerk are authorized to execute the said Amendment and Extension Agreement and affix the corporate seal thereto.

3. **That** the Clerk of the Town is authorized to effect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.

Read a first, second and third time and finally passed this 12th day of February, 2018.

Mayor

Clerk

I, Carol Schofield, the Clerk, of The Corporation of the Town of Fort Erie certifies the foregoing to be a true copy of By-law No. 27-2018 of the said Town. Given under my hand and the seal of the said Corporation, this day of , 20